

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

LARRY JOHNSON,	)	
ID # 01594379,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
DIRECTOR, TDCJ-CID,	)	
	)	
Respondent.	)	Civil Action No. 3:21-CV-2926-C-BT

**ORDER**

Before the Court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge therein advising the Court that Plaintiff's claims should be DENY Petitioner's Petition. Petitioner failed to file timely objections.

The Court conducts a *de novo* review of those portions of the Magistrate Judge's report or specified proposed findings or recommendations to which a timely objection is made. 28 U.S.C. § 636(b)(1)(C). Portions of the report or proposed findings or recommendations that are not the subject of a timely objection will be accepted by the Court unless they are clearly erroneous or contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

The Court has conducted an independent review of the Magistrate Judge's findings and conclusions and finds no error. It is therefore **ORDERED** that the Findings, Conclusions, and Recommendation are hereby **ADOPTED** as the findings and conclusions of the Court. For the reasons stated therein, Petitioner's Petition is **DENIED**.

Additionally, the Court **SEVERES** Johnson's civil rights claims from this habeas action

filed under § 2254 and directs the Clerk of Court to open a new civil rights case (nature of suit 550) for the now-severed claims and file a copy of this Order and ECF No. 29 in that case. The new case should be assigned to the same Senior District Judge and Magistrate Judge as this habeas case. Finally, all future pleadings related to the severed civil rights matter should be filed in the new case.

SO ORDERED.

Dated this 27<sup>th</sup> day of February, 2023.



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SAM R. CUMMINGS  
SENIOR UNITED STATES DISTRICT JUDGE